

**Introduced by Senator Corbett**

February 22, 2007

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An act to amend Section 2166.5 of the Elections Code, relating to elections.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 524, as introduced, Corbett. Voter registration: confidentiality.

Existing law establishes 2 programs, until January 1, 2013, known as the Address Confidentiality for Victims of Domestic Violence, Sexual Assault, and Stalking program and the Address Confidentiality for Reproductive Health Care Services Providers, Employees, Volunteers, and Patients program, that authorize specified persons to complete an application containing certain information to be approved by the Secretary of State for the purpose of enabling state and local agencies to respond to requests for public records without disclosing a program participant's residence address contained in any public record, including the program participant's voter registration. Existing law, until January 1, 2008, authorizes any person who is granted confidentiality pursuant to these provisions to file a new affidavit of voter registration or reregistration and be considered an absent voter for subsequent elections until the county elections official is notified otherwise by the Secretary of State or the voter.

This bill would extend the operation of this provision until January 1, 2013. By increasing the duties of local elections officials in connection with administration of this provision, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 2166.5 of the Elections Code is amended  
2     to read:  
3     2166.5. (a) Any person filing with the county elections official  
4     a new affidavit of registration or reregistration may have the  
5     information relating to his or her residence address, telephone  
6     number, and e-mail address appearing on the affidavit, or any list  
7     or roster or index prepared therefrom, declared confidential upon  
8     presentation of certification that the person is a participant in the  
9     Address Confidentiality for Victims of Domestic Violence, *Sexual*  
10    *Assault*, and Stalking program pursuant to Chapter 3.1  
11    (commencing with Section 6205) of Division 7 of Title 1 of the  
12    Government Code or a participant in the Address Confidentiality  
13    for Reproductive Health Care Service Providers, Employees,  
14    Volunteers, and Patients program pursuant to Chapter 3.2  
15    (commencing with Section 6215) of that division.  
16    (b) Any person granted confidentiality under subdivision (a)  
17    shall:  
18    (1) Be considered an absent voter for all subsequent elections  
19    or until the county elections official is notified otherwise by the  
20    Secretary of State or in writing by the voter. A voter requesting  
21    termination of absent voter status thereby consents to placement  
22    of his or her residence address, telephone number, and e-mail  
23    address in the roster of voters.  
24    (2) In addition to the required residence address, provide a valid  
25    mailing address to be used in place of the residence address for  
26    election, scholarly, or political research, and government purposes.  
27    The elections official, in producing any list, roster, or index may,  
28    at his or her choice, use the valid mailing address or the word  
29    “confidential” or some similar designation in place of the residence  
30    address.

1 (c) No action in negligence may be maintained against any  
2 government entity or officer or employee thereof as a result of  
3 disclosure of the information that is the subject of this section  
4 unless by a showing of gross negligence or willfulness.

5 (d) Subdivisions (a) and (b) shall not apply to any person granted  
6 confidentiality upon receipt by the county elections official of a  
7 written notice by the address confidentiality program manager of  
8 the withdrawal, invalidation, expiration, or termination of the  
9 program participant's certification.

10 (e) This section shall remain in effect only until January 1, 2008  
11 2013, and as of that date is repealed, unless a later enacted statute,  
12 that is enacted before January 1, ~~2008~~ 2013, deletes or extends  
13 that date.

14 SEC. 2. If the Commission on State Mandates determines that  
15 this act contains costs mandated by the state, reimbursement to  
16 local agencies and school districts for those costs shall be made  
17 pursuant to Part 7 (commencing with Section 17500) of Division  
18 4 of Title 2 of the Government Code.